

MAYOR'S REPORT

April 26, 2018

Good Evening. I would like to take this time to update and recap the residents on recent events that affect their lives in Willoughby Hills. I hope, since I missed the last Council meeting due to a preplanned Community commitment which I advised Council prior to, that they will afford me ample time to convey an important message to them.

First, let me state that on April 2nd, a judgment came down from Lake County Common Pleas Court, calling Council's actions to appoint Mr. Stephen Byron as "Acting Law Director" unlawful and illegal. Further, the Court acknowledged that I, as Mayor, have the sole authority to appoint a Law Director (Acting or Permanent) that needs Council confirmation. I emailed every Council member, asking for four recommendations (this was three weeks ago), without Council response or even a respectful acknowledgement of my email. In a their public meeting, then, Council (specifically, Councilman Fiebig) challenged me to find someone

to present to Council in order to handle all of our “pressing legal concerns.” He insisted that I do it post haste. I accepted that challenge and, 7 days ago, presented Attorney James O’Leary as the candidate to fill this position. Mr. O’Leary has agreed to accept \$4,500 per month retainer, with no other billable hours. This represents less than one half of what Council proposed to pay Mr. Byron. I have yet to hear from Council and am disappointed that it is not on tonight’s agenda, or that a Special Meeting was not called before tonight. I want the residents to know that I have done my due diligence in securing a fine candidate in Mr. O’Leary and hope Council, at a time sooner than later, will cooperate by confirming him. This will allow us to move forward on many legal concerns and prohibit any further illegal, unlawful actions from taking place.

Next, I wish to explain the consequences of Council’s passage of Ordinances 2018-13 and 2018-19, which calls for the elimination of 8 of the 11 Union Administrative positions at City Hall, leaving only the Police Chief’s Secretary, the Fire Chief’s Secretary and our Police Community Service Officer. By this legislation, all other employees are

either gone or reduced to part-time hours. These are Union positions, which means no one else can come in to do their jobs. The Clerk of Court and Building Department Secretary jobs have been cut to part-time, with too much work in their respective departments to be able to get the job done on a part-time basis. These departments, therefore, will be closed as they have no one to staff them.

With the Mayor's Court, as you may have read in a recent News-Herald article, all current cases are being sent to Willoughby Municipal Court, with a loss of income to the City of Willoughby Hills. This has a substantial impact on the budget, which now, has already become unbalanced and we would need to look at a way to make up that income. I am anxious to hear Council's plan for this. If this dilemma is put on me, as Mayor, my only suggestion is to bring all of our workers back.

Next, our Community Center poses yet another challenge as a result of Council's actions. Council eliminated the part-time Clerk-Stenographer in the Recreation Department and the six Property Staff Members who monitor events, do room set ups and

clean the rooms for rentals. This leaves absolutely no one to tend to the building. I have no option but to close the building, with the exception of the library, who will open and close the building for their hours. We have the task in the next few days of notifying all classes and parties and weddings that the facility will not be available until Council decides to bring our workers back. On Monday, a wall will be constructed to block off the lobby area from the rest of the building so as to not allow entrance to any of the rooms. I have arranged to have the building locks changed. I understand the risk we take for lawsuits from irate renters who have contracts for their events and classes. However, as Safety Director, I would not want renters to be in the building and have an emergency that could not be handled by trained staff.

I have spoken with the Lake County Board of Elections and understand our obligation by State Law to utilize the building as a polling place. With this in mind, the Union has agreed to allow the Lake County Board of Elections to use the building on Tuesday, May 8th, bringing voters into the room in a different manner and allowing the workers to use

only the O’Ryan Room, without use of the kitchen or back entrance. Once the voting is over, the room will be locked up until Council decides to bring our workers back.

The Boards and Commissions will be without a Clerk until Council decides to bring our workers back.

With the layoffs at City Hall, there will be one part-time Finance Director and one full-time Assistant Finance Director. They will be responsible for their regular positions and trying to assist visitors and callers to the building on a very limited basis. There is no one to update the website or WHTV, so these will not be done. The Police Chief and Fire Chiefs’ secretaries will be retained in their departments, and, by Union contract, may be put on temporary assignment to assist in these tasks for up to 28 days, but would not be able to perform their regular jobs simultaneously. Before Council made their drastic budget decisions to lay off staff, I assume they reviewed the contract and knew of these consequences. I am anxious to hear what their

answers are as to how to deal with the crisis of no one manning City Hall.

On Tuesday, I met with the Union representative who presented the Union grievance to me, basically outlining Council's actions which they defined as "union busting." In addition, they explained that the formation of the part-time positions were not lawful. The City's financial records indicate that there was no just cause for these layoffs. They pointed out that aside from targeting a class of Administrative employees only, dominated by female employees, there were no cuts from Police, Fire and Service, with predominantly male employees. The Union reviewed the contract with me, which outlines the provisions for layoff and recall. Part-time workers are the last to be recalled, which means the Community Center issue will be the last to be resolved, unfortunately for our renters who have contract commitments. The Union will now be proceeding to Step 3 of the grievance process, which is Arbitration. This means the City will incur expenses for resolution. Once a Law Director is appointed, we can make the recommendation for legal representation as it pertains to Union activity.

Again, Council has the authority to end this by bringing our workers back.

The Union representative also advised me that the Union has filed an “Unfair Labor Practice” or “ULP” which will be heard by the State Employment Relations Board. This could allow all positions to be reinstated, giving all employees full back pay. We will wait until a hearing date is assigned.

I presented a balanced budget, which did not include any staffing cuts. My budget also made provisions for additional part-time firefighters, which we have done routinely, long before LT Serazin took over as Acting Fire Chief. Council should begin by putting the residents first and making the City services that they deserve once again available to them, rather than forcing me to close the doors.

This should give our residents a good idea of what to expect over the next several weeks or months, depending on Council’s actions.

In closing for my report tonight, I want to congratulate the officers honored here tonight. I want to applaud their dedication and bravery. I want to send out get well wishes to the 12 year old son of one of our Finance workers who underwent heart surgery today, with his mother losing her job and benefits next week. I want to congratulate the husband of our Building Department worker on completing his third bout of chemotherapy as his wife's position is reduced to part-time and experiences benefit deletion. I want to thank the BZA, PC-ABR and Recreation Clerk for timely minutes for her Commissions. I want to thank my Court staff for pointing out to me that the News Herald article only brought up about the Court's loss of income, but my staff was more concerned about those drivers who need to come in to Court to get their driver's licenses reinstated and they will be without that privilege until we can open our court again. I want to encourage our fine students who serve as Community Center monitors to "keep the faith, that we will get through this" because they need their \$9 an hour jobs to pay for their college education. And, finally, on Administrative Assistant's week, I want to thank my own

Administrative Assistant who does an outstanding job, not just for me, but for our City, even when her salary is scrutinized and we sit here tonight to watch Council approve a \$37,000 grant she received to enhance the City's public buildings. Please know that I appreciate all of you and you are "people", not "positions" and I will lead our City to get through this turmoil because you are all worth it and I value each and every one of you.